

BOARD OF SUPERVISORS

Brown County



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Judge Kendall Kelley

CRIMINAL JUSTICE COORDINATING BOARD

Tuesday, February 26, 2013

3:30 p.m.

Room 201, Northern Building

305 E. Walnut Street

1. Call Meeting to Order.
2. Approve/Modify Agenda.
3. Approve/Modify Minutes of November 27, 2012.
4. Plan Board Membership.
5. Mental Health Court (Judge Zuidmulder).
6. Agenda for Upcoming Meetings – Potential Areas of Focus:
 - a. Jail Population Update.
 - b. Reducing Jail Population.
 - c. Specialty Courts (Drug Court, Veterans Treatment Court, and future Courts)
7. Adjourn.

Judge Kendall Kelley, Chair

Notice is hereby given that action by Committee may be taken on any of the items which are described or listed in this agenda.

Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

**PROCEEDINGS OF THE BROWN COUNTY
CRIMINAL JUSTICE COORDINATING BOARD**

Pursuant to Section 19.84 Wisconsin Statutes, a regular meeting of the Brown County Criminal Justice Coordinating Board was held on Tuesday, November 27, 2012 in Room 201 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Jed Neuman, Judge Zuidmulder, Jason Beck, Pat Evans, John Gossage, Larry Malcomson, Dave Lasee, Brian Shoup, media
Citizen Reps: Tim Mc Nulty

1. **Call Meeting to Order.**

The meeting was called to order by Pat Evans at 3:35 p.m.

2. **Approve/Modify Agenda.**

**Motion made by Jed Neuman, seconded by Tim Mc Nulty to approve. Vote taken.
MOTION CARRIED UNANIMOUSLY**

3. **Approve/Modify Minutes of September 25, 2012.**

**Motion made by Tim Mc Nulty, seconded by Jed Neuman to approve. Vote taken.
MOTION CARRIED UNANIMOUSLY**

4. **Plan Board Membership.**

Evans suggested that when someone is unable to attend a regularly scheduled meeting it would be helpful if they sent a "reply to all" e-mail letting other members know they are unable to attend. This would help with knowing whether there would be a quorum so as not to waste anyone's time. District Attorney Lasee recalled that County Executive Streckenbach was going to look into what would need to be done to allow attendance of individuals by a designee and Human Services Director Brian Shoup stated he would follow up with Streckenbach in this regard.

Motion made by Jed Neuman, seconded by Tim Mc Nulty to hold until next meeting. Vote taken. MOTION CARRIED UNANIMOUSLY

5. **Mental Health Court (Judge Zuidmulder).**

Judge Zuidmulder was in attendance at the meeting to discuss the possibility of forming a Mental Health Court. He stated that he started Drug Court and is looking at how to better manage resources and identify people within the criminal justice system who are not amenable to traditional methods of probation, jail and prison but are burdensome and expensive to the system. A Mental Health Court was suggested by a member of the Human Services Committee and Judge Zuidmulder agreed to look into this. As a judge he is willing to be involved and what he would propose is that a group of stakeholders consisting of the Human Services Director, Sheriff, Probation and Parole, District Attorney and Public Defender be formed to act as a planning committee. This group would independently meet to discuss what the clientele might be, how this would be integrated within the whole system, etc. Judge Zuidmulder would be willing to contact these stakeholders to set up an initial meeting and go from there.

Lasee asked how soon the Judge wanted to work on this because he was aware of a grant of \$80,000 available for pretrial diversion but the grant is due by December 19. Lasee felt if the money was available they should try to get someone to write the grant as soon as possible and Judge Zuidmulder stated that if the Committee agrees that this is something that they want to do, he will try to set up a meeting within the next ten days or so.

Evans stated that he would be supportive of researching a Mental Health Court, but asked for a broad definition of appropriate participants. He said he is very supportive and protective of people with mental health issues and he wants to make sure those people get correct and appropriate treatment but he also wants to make sure that those people are held accountable for their actions. Judge Zuidmulder stated that the only clientele he is looking at at this time would be clientele referred by the jail staff due to the person being dangerous to staff, themselves and/or other inmates due to a serious mental health condition.

Evans expressed concern of the jail pushing violent people out into the public to participate in Mental Health Court. He felt it would be better to keep violent people in the jail where there are trained corrections officers rather than sending them out into the street to be violent in public. Sheriff Gossage stated that this is not the idea behind Mental Health Court but rather the idea would be to get the offenders properly placed into a situation where their mental health issues can be addressed. Many times when dealing with people who are incarcerated they find they really did not have the intent to commit the crime but they are in the jail many times and not getting the help that they need to address their issues. They are in there because they did not know what intent was to commit a crime.

Judge Zuidmulder stated that his model would be that the Sheriff's Department contact him to let him know they have a person who has a serious mental health problem. Judge Zuidmulder would be intervening to get the person to the CTC in a locked facility where they could receive medication to stabilize them. Human Services Director Brian Shoup stated that there are very serious restrictions on using drug restraints and Judge Zuidmulder said he would have to explore what he could do within the State system because if someone is found incompetent, he can order them into the State system where they can be administered psychotropic medications.

Shoup said he suspects there are some people that have serious, severe, persistent mental illness that find their ways into the correctional system and many times these individuals are vulnerable to other inmates because of this. Malcomson agreed with this and Shoup stated that this would be one segment of the population where a Mental Health Court would be helpful. The problem he sees, however, is that the Nicolet Psychiatric Center is predominantly a short-term stabilization services facility. He noted that there are residential facilities that exist or could be developed which could provide a more appropriate placement than jail. He did not know if assaultive individuals would be appropriate for this type of placement. Judge Zuidmulder agreed and stated that there would need to be a firm definition of who would be eligible. He agreed that a Mental Health Court would not be designed in any way to affect public safety. The entire criminal justice system has one purpose which is public safety and he felt that only a program that enhances public safety deserves public support. Judge Zuidmulder stated that there would be a lot to work out as there are many issues, but he felt there were members of the community who felt a Mental Health Court should be explored and his purpose at this time is to make a good faith analysis.

Neuman indicated there are currently two treatment courts in place where there are specific offenses that are determined to be excluded for participation in a treatment court. From being

involved in both of these treatment courts, it has become clear to Neuman that accountability is evident and in fact, the treatment courts call for a heightened level of accountability for the main reason that there are a lot more people involved in a single offender's case. On the flip side is the fact that there are gaps in services. He felt that what was being envisioned is that there would be accountability by someone being in a participant's life to ensure that the pill count is done, medications are being taken regularly, etc. and there is constant contact from the CTC and HS Department, Probation and Parole, the court system and the jail.

Lasee agreed with Neuman with regard to gaps in services and stated that he sees this frequently where offenders come in and you look at the behaviors they have been arrested for and it is obvious it is crazy behavior and a mental health issue, but sometimes it borders on criminal behavior. Sometimes people do not fit the criteria for a Chapter 51 and he sees these gaps all the time. He feels that often they do not belong in the criminal justice system, but the mental health system does not pick them up to provide services either because they do not meet the criteria.

Evans looks at gaps and is wondering where the ball gets dropped. He felt that perhaps a Mental Health Court would help close the gap and be able to start identifying people who need help and getting them the appropriate help they need. Neuman agreed and stated that a Mental Health Court would hold these people accountable to be sure they get where they need to go for appropriate treatment.

Shoup also stated that there may be a capacity issue as well in terms of outpatient treatment and getting them to a prescriber. Zuidmulder stated that this would be another area that would need to be examined.

Motion made by Brian Shoup, seconded by Jason Beck to form a mental health court study committee made up of the Human Services Director, Sheriff, Probation and Parole, District Attorney and Public Defender as well as members from the private healthcare community. Vote taken. MOTION CARRIED UNANIMOUSLY

6. **Agenda for Upcoming Meetings – Potential Areas of Focus:**
- a. **Response to Illegal Drug Activity in Brown County and Presentation By Prescription Drug Officer. (Sheriff John Gossage)**

It was indicated that this item was a precursor to the County Board which has been done and this item should be removed from future agendas unless there are specific questions.

Motion made by David Lasee, seconded by Larry Malcomson to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

- b. **Schedule Meeting with Representative from Statewide Criminal Justice Coordinating Council. (DA David Lasee)**

This has been done and this item can be removed from future agendas.

Motion made by David Lasee, seconded by Tim Mc Nulty to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

- c. **Sex Offender Ordinances. (Jed Neuman)**

Neuman stated that he had given a report several months ago on various sex offender ordinances for information purposes only and he felt that this item could also be removed from future agendas.

Motion made by Jason Beck, seconded by David Lasee to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

d. Jail Population Update.

Malcomson stated that the jail is currently at about 85% capacity.

Motion made by John Gossage, seconded by Jed Neuman to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

e. Reducing Jail Population.

Gossage stated that the EMP (electronic monitoring program) numbers are being maintained which allows the jail to stay at 85% capacity. There is an ebb and flow of this program and some inmates have been taken off of EMP and put back into the jail. Gossage stated that the reason they are able to keep one pod closed is because of the EMP program which is good for now, but he felt that as the jail has more inmates they will have to look at diversionary programs. Evans asked how successful the EMP program is and Malcomson stated the program has been very successful. Obviously there are some failures but for the most part, those on the program are using it correctly.

Motion made by David Lasee, seconded by John Gossage to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

f. Specialty Courts (Drug Court, Veterans Treatment Court, and future Courts).

Motion made by Brian Shoup, seconded by Jason Beck to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

7. Such Other Matters As Authorized By Law.

A discussion was held with regard to a December meeting and whether to hold one as the date would fall on Christmas. It was determined that no meeting will be held in December and the next meeting will be scheduled for January 29, 2013.

8. Adjourn.

Motion made by Larry Malcomson, seconded by Brian Shoup to adjourn at 4:11 p.m. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Recording Secretary